



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

ENFORCEMENT &  
COMPLIANCE ASSURANCE  
DIVISION

April 16, 2020

Reply to: 20-C04

**Sent via Email**

Jeff Grussing  
Director, Environment and Special Projects  
Nutrien Ltd.  
5296 Harvest Lake Drive, 4<sup>th</sup> Floor  
Loveland, Colorado 80538

Re: Force Majeure Notification due to COVID-19, dated April 15, 2020  
Administrative Order on Consent for Nu-West Industries, Inc.  
Idaho Facility, Docket No. RCRA-10-2009-0186

Dear Mr. Grussing:

This letter responds to your notice of a *force majeure* as described in the April 15, 2020 letter. EPA agrees with the reasons provided in your notice and the proposed course of action, which will impact the ability to conduct groundwater sampling in the 2<sup>nd</sup> quarter 2020 at the Itafos Conda Phosphate Operations site in Soda Springs, Idaho.

I normally send a response letter by U.S. Postal Service in order to document official Agency response, as is required by the Administrative Order on Consent. However due to the pandemic, our office building is presently closed and I do not have access to certain resources. This letter is being sent alternatively via email only due to the unique circumstances.

Thank you for your attention to this important matter.

Sincerely,

Land Enforcement Section

cc: Carl Miller, Itafos Conda LLC  
Natalie Creed, Idaho Department of Environmental Quality  
P. Scott Burton, Esq., Hunton Andrews Kurth LLP